

### **REMARKS**

The Office Action dated January 19, 2010 has been received and carefully noted. The above amendments and the following remarks are being submitted as a full and complete response thereto. Claims 16, 17, 20, 21, 24 and 25 are amended. Support for the amendments may be found at least in paragraphs [0009] and [0033] of the Specification. Reconsideration of the application is respectfully requested in view of the above amendments and following remarks.

#### ***Claim Rejections under 35 USC §§ 102 and 103***

In the Office Action, claims 16, 18-20, 22-24 and 26-27 were rejected under 35 USC § 102(b) as being anticipated by Kato (U.S. Patent No. 6,396,874). Claims 17, 21 and 25 were rejected under 35 USC § 103(a) as being unpatentable over Kato in view of Sugimoto (US Published Application No. 2001/0028608). The rejections are respectfully traversed and reconsideration is requested.

The telephonic interview granted by the Examiner on May 17, 2010 is appreciated by the applicants. The amendments being submitted herewith are substantially the same as discussed.

It is noted that independent claims 16, 17, 20, 21, 24 and 25 are amended to clarify the following novel features of the claimed playback apparatus/methods:

- (1) Contents are stored in storage medium;
- (2) Playback control data is edited by user; and
- (3) Abnormality detecting means/step for detecting whether said playback control data edited by the user contains incorrect data obtained by an incorrect editing not

based on a standard that is a file system for managing digital contents in said storage medium.

In general, the claimed playback apparatus/methods enable a user to edit and playback digital contents stored in a storage medium, so that the playback of digital contents continues without stopping even when playback control data contains incorrect data caused by the user incorrectly editing of the playback sequence of digital contents, as disclosed, for example, in the paragraph [0119] of the Specification.

In contrast, Kato only discloses "the error correction and coding unit 5 corrects the video and audio data, entered from the demodulating unit 4, for errors, and sends the error-corrected data to the buffer 6" (Fig. 3; and col.10, lines 63-65, as cited by the Examiner). The Examiner argues that Kato (Col. 10, lines 63-67; Col. 11, lines 1-53) discloses how to handle a situation in which playback control data has become unusable. However, the Applicant finds that Kato only discloses how a user can use an operating unit 11 to edit a newAV program and write the same to an optical disc. Therefore, Kato fails to disclose editing of playback control data by the user and means for detecting whether said playback control data edited by the user contains incorrect data obtained by an incorrect editing not based on a standard that is a file system for managing digital contents in said storage medium, as claimed herein.

Sugimoto only discloses how to deal with read errors occurring in reading data from an information recording medium (Fig. 5; paragraphs 101 - 103, as cited by the Examiner). Therefore, Sugimoto failing to disclose or even suggest at least abnormality detecting means as well as other features of amended claims 16, 17, 20, 21, 24 and 25.

Accordingly, Kato and Sugimoto, taken individually or in combination, do not disclose all features of amended independent claims 16, 17, 20, 21, 24 and 25.

At least for the above reasons, independent claims 16, 17, 20, 21, 24 and 25 and claims dependent thereon are patentable over the Kato and Sugimoto.

Based on the foregoing, the Applicant respectfully requests that the Examiner to withdraw the rejection of claims 16-27 under 35 USC §§ 102(b) and 103(a).

***Conclusion***

For all of the above reasons, it is respectfully submitted that claims 16-27 are in condition for allowance and a Notice of Allowability is earnestly solicited.

No fee is believed to be due for this submission. In the event that this paper is not being timely filed, the Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension, together with any additional fees that may be due with respect to this paper, may be charged to Counsel's Deposit Account Number 01-2300, referencing Docket Number 107156-00345.

Respectfully submitted,  
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